

Message Text

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ACTION SY-05

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TO SECSTATE WASHDC PRIORITY 3532

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FOR SY/CC/TAGS FROM RSO

E.O. 11652: N/A
TAGS: ASEC, PINS
SUBJECT: RELEASE OF P.R. SARKAR - ANANDA MARG LEADER

REF: STATE 207790

1. P.R. SARKAR, THE CHIEF OF THE ANANDA MARG WHO IS ALSO KNOWN AS ANAND MURTI, WAS ARRESTED IN DECEMBER 1971 BY INDIAN AUTHORITIES AND DETAINED UNTIL AUGUST 2, 1978. SARKAR AND SEVERAL OF HIS "DISCIPLES" WERE CHARGED WITH COMMITTING A VARIETY OF CRIMES, MOSTLY INVOLVING MURDER AND KIDNAPPING, BY THE CENTRAL BUREAU OF INVESTIGATION (CBI). IN ALL, THE CBI DEVELOPED SIX CASES AGAINST SARKAR AND OTHERS. HE WAS ACQUITTED IN THE MOST PROMINENT CASE ON JULY 4, 1978, HAD EARLIER BEEN GRANTED BAIL IN FOUR OTHER CASES, AND WAS GRANTED BAIL IN THE REMAINING CASE ON JULY 31. AS A RESULT OF THIS LAST GRANT OF BAIL, SARKAR WAS RELEASED FROM JAIL ON AUGUST 2.

2. BACKGROUND: WE BELIEVE THAT THE DEPARTMENT (NEA/INS AND INR/RNA/SOA) HAS FULL BACKGROUND INFORMATION ON THE ANANDA MARG ORGANIZATION. THIS MESSAGE ADDRESSES ITSELF TO P.R. SARKAR'S LEGAL WRANGLES WITH INDIAN AUTHORITIES. SARKAR'S LIMITED OFFICIAL USE

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TROUBLES DATE BACK TO THE LATE 1960'S, WHEN HIS MOVEMENT BEGAN TO FLOURISH. HE ESTABLISHED HIS HEADQUARTERS AT RANCHI, AN INDUSTRIAL CENTER IN SOUTH BIHAR. (ALL OF THE CASES INVOLVING SARKAR HAVE OCCURRED IN BIHAR.) DURING AN ANANDA MARG FUNCTION AT COOCH-BEHAR (WEST BENGAL) IN 1967, SOME WORKERS OF THE COMMUNIST PARTY (MARXIST) CLASHED WITH MARGIS AND POLICE ARRESTED SARKAR FOR THE FIRST TIME. HE WAS SUBSEQUENTLY RE-

LEASED. HOWEVER, AFTER THIS CLASH AND OTHER INCIDENTS, SOME MARGIS APPARENTLY BECAME DISENCHANTED WITH SARKAR AS CHIEF OF THE ORGANIZATION AND "DEFECTED." IN OCTOBER 1971 SARKAR'S WIFE AND ALSO HIS PRIVATE SECRETARY DEFECTED FROM THE MARG. INDIAN PROSECUTORS LATER ALLEGED THAT IN ORDER TO AVENGE THESE DEFLECTIONS SARKAR AND SOME OF HIS FOLLOWERS ENTERED INTO A CONSPIRACY AND MURDERED A TOTAL OF 18 DEFECTORS AT DIFFERENT PLACES AND AT DIFFERENT TIMES. THESE EIGHTEEN ALLEGED MURDERS THEN FORMED THE BASIS FOR THE CBI TO INITIATE FIVE OF THE SIX CASES WHICH WERE EVENTUALLY LODGED AGAINST THE MARG CHIEF. THE SIXTH CASE INVOLVES ALLEGED POSSESSION OF WEAPONS AND EXPLOSIVES.

3. PRESS REPORTS OF THE DRAWN-OUT LEGAL PROCEEDINGS INVOLVING SARKAR OVER THE YEARS SINCE 1971 ARE SKETCHY, INCOMPLETE AND OCCASIONALLY CONTRADICTORY. HOWEVER, WE HAVE CULLED THE FOLLOWING INFORMATION ON THE CASES AGAINST ANANDA MARG CHIEF FROM VARIOUS NEWSPAPER ACCOUNTS. ALL THE ALLEGED CRIMES AND LEGAL PROCEEDINGS HAVE TAKEN PLACE IN VARIOUS PARTS OF BIHAR:

(A) ANANDA MARG MURDER CASE: THIS IS BY FAR THE MOST PROMINENT CASE LODGED AGAINST SARKAR AND THE ONLY ONE, TO OUR KNOWLEDGE, WHICH HAS GONE THROUGH COMPLETE JUDICIAL HEARINGS. IN ITS CHARGE-SHEET, THE CBI ALLEGED THAT SARKAR AND SEVERAL OF HIS FOLLOWERS ENTERED INTO A CONSPIRACY AND MURDERED SIX ANANDA MARG DEFECTORS IN THE SINGHBHUM JUNGLES OF SOUTHERN BOHAR DURING THE PERIOD JULY-AUGUST 1970. THE CASE WAS FILED

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IN SEPTEMBER 1972, AND THE TRIAL OF SARKAR AND THE OTHERS DRAGGED ON FOR SEVERAL YEARS, FIRST BEFORE THE PATNA DISTRICT MAGISTRATE AND THEN IN THE PATNA SESSIONS COURT. (PATNA IS THE STATE CAPITAL OF BIHAR.) THE SESSIONS COURT FOUND SARKAR AND FOUR DISCIPLES GUILTY OF MURDER AND CONSPIRACY TO MURDER IN NOVEMBER 1976 AND SENTENCED THEM TO LIFE IMPRISONMENT. SARKAR'S FOLLOWERS APPEALED THE VERDICT TO THE PATNA HIGH COURT, WHICH ACQUITTED THE MARG CHIEF AND THE OTHERS ON JULY 4, 1978. IN ITS ACQUITTAL, THE HIGH COURT RULED THAT THE PROSECUTION HAD FAILED TO SUBSTANTIATE THE CHARGES FULLY AND THAT THE EVIDENCE OF THE "APPROVER" (STATE'S WITNESS) WAS UNRELIABLE. THE CASE IS NOT NECESSARILY CLOSED, HOWEVER: ON AUGUST 3 SEVERAL MP'S ASKED THE GOVERNMENT IN PARLIAMENT WHETHER IT PROPOSED TO APPEAL SARKAR'S ACQUITTAL TO THE SUPREME COURT OF INDIA. IN REPLY, THE HOME MINISTER (WHO IS RESPONSIBLE FOR SUCH MATTERS) STATED THAT "THE MATTER IS BEING EXAMINED."

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(B) RANCHI BOMB CASE: THE ORIGINAL ARREST OF SARKAR AND SEVERAL ASSOCIATES BACK IN DECEMBER 1971 WAS IN CONNECTION WITH WHAT BECAME KNOWN AS THE RANCHI BOMB CASE. THE CBI ALLEGED THAT A LARGE NUMBER OF EXPLOSIVE DEVICES, BOMBS AND HUMAN SKULLS WERE FOUND AT SARKAR'S OFFICES IN RANCHI DURING A SEARCH IN 1971. (IT WAS DURING THE COURSE OF FURTHER INVESTIGATIONS ON THIS CASE THAT THE CHARGES REGARDING THE MURDER OF THE EIGHTEEN DEFECTORS WERE DEVELOPED.) SARKAR AND SEVERAL ASSOCIATES CAME TO TRIAL ON THE RANCHI BOMB CASE IN DECEMBER 1975 IN THE PATNA SESSIONS COURT. THEY WERE CHARGED UNDER THE EXPLOSIVES SUBSTANCES ACT WITH ILLEGAL POSSESSION OF ARMS AND EXPLOSIVES. SARKAR AND THE OTHERS HAVE BEEN GRANTED BAIL IN THIS CASE; THE PROCEEDINGS, HOWEVER, APPEAR TO HAVE BEEN SUSPENDED FOR SOME TIME. (C) KHELARI POLICE STATION MURDER CASE: SARKAR AND ONE OF HIS CLOSE ASSOCIATES ARE CHARGED WITH MURDER AND POSSESSION OF WEAPONS IN THIS CASE, WHICH APPARENTLY RELATES TO A SEPARATE CASE OF MURDER OF MARG DEFECTORS. THE PROCEEDINGS HAVE BEEN UNDER WAY BEFORE THE DISTRICT MAGISTRATE AT RANCHI. THE MAGISTRATE REFUSED TO GRANT BAIL TO SARKAR ON JULY 14, FOLLOWING WHICH HIS FOLLOWERS APPEALED TO HIGHER AUTHORITY. ON JULY 31, THE PATNA HIGH COURT GRANTED BAIL TO SARKAR IN THIS CASE. THIS BEING THE LAST LEGAL OBSTACLE TO HIS RELEASE ON BAIL, SARKAR WAS FREED FROM

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JAIL ON AUGUST 2. (D) IN ADDITION, THERE ARE THREE REMAINING CASES IN WHICH SARKAR IS ACCUSED OF KIDNAPPING AND MURDER CHARGES, ALL APPARENTLY RELATED TO MARG DEFECTORS. TWO OF THESE CASES WERE FILED AT MOTIHARI IN NORTHERN BIHAR AND THE

THIRD, KNOWN AS THE LATEHAR CASE, WAS FILED IN HAZARIBAGH DISTRICT IN SOUTHERN BIHAR. ALL OF THESE HAVE BEEN SHIFTED TO COURTS IN PATNA, AND SARKAR HAS BEEN GRANTED BAIL IN ALL OF THEM.

4. INFORMATION ON THE CASES PENDING AGAINST SARKAR IS EXTREMELY SKETCHY. AS FAR AS WE CAN DETERMINE FROM NEWSPAPER ACCOUNTS, THERE HAVE BEEN NO HEARINGS IN THE RANCHI BOMB CASE, THE KHELARI MURDER CASE OR THE THREE OTHERS FOR SOME TIME. SARKAR IS THUS FREE ON BAIL IN ALL OF THESE. TECHNICALLY, THE CASES REMAIN OPEN; THERE HAS BEEN NO INDICATION THAT THE CHARGES HAVE BEEN WITHDRAWN.

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